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Reply to Final Office Action of July 14, 2005

**REMARKS/ARGUMENTS**

**CLAIMS 1-9**

**Claim 1**

The Examiner has rejected Claim 1 under 35 U.S.C. 102(b) on the view that it is anticipated by Kara's US Patent No. 5,717,597 ("Kara").

For convenience, Claim 1 is printed below:

1. (previously presented) A method for use with mail pieces and with a purchaser having an identity, the method comprising the steps of:

requiring, as a precondition of purchasing at least one postal indicium, receipt of first information indicative of the purchaser's identity,

deriving by electronic computation second information functionally from said first information;

printing said second information upon the at least one postal indicium;

receiving an addressed mail piece with the at least one postal indicium into the mail; and

delivering the addressed mail piece.

The undersigned has diligently studied Kara and is unable to find the limitation of "printing said second information upon the at least one postal indicium," where said second information is functionally derived by electronic computation from said first information, said first information indicative of the identity of a "purchaser" of a postal indicium. Figs. 16A-B and Col. 16, lines 35-60 of Kara appear instead to be a description of steps that a "customer" using a card generating system might use to print postage indicia. This "customer" of Kara is not the same as

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the "purchaser" of the present application. The "customer" of Kara's card generating system also does not appear to be the same as the "user" or "individual" of Kara discussed in previous responses to Office Actions with respect to the E-STAMP program or a postal storage device. The postal indicia purchased by the "customer" of Kara appears to be purchased from the entity that charges for the use of the card generating system, most likely, the "user" or "individual" of Kara. Because of this, the identity of the "customer" is not associated with what is printed on the postal indicia.

Kara discloses a list of encrypted information which may be incorporated within a meter stamp. This list includes:

the day, the date, the postage storage device serial number, the E-STAMP serial number, the sender's zip code, the addressee's zip code, the expiration date of the postage storage device, the cumulative values of the strike and dollar counters, PNM registration number, the user's identification number, and the Post Office identification number.

(See Col. 16, lines 35-60 of Kara).

The only item in this list that might be connected with the "customer" of Kara is the "sender's zip code." A "sender's zip code" is unlikely to be sufficient to convey information indicative of the identity of "customers" using the card generating systems. A single zip code could include thousands of different people with thousands of different identities. If the card generating system were used by local customers, most of them would have the same zip code and it would be impossible to distinguish one customer from another based on that information. A zip code of a "sender" would also then be unlikely to provide information indicative of the identity of Kara's "user" or "individual."

Even if a zip code could be considered identifying information, Col. 15., lines 13-17 of Kara specifically provide that the "customer" using the card generating system has the option of providing a return address, which would include a zip code. This appears to be the only time that

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the customer is prompted to enter a return address. If providing the return address is "optional," then it can not be an absolute "precondition of purchasing at least one postal indicium," and second information derived from it would not necessarily be printed on the postage indicia.

As has been repeatedly stated, the precondition of "receipt of first information indicative of the purchaser's identity," is an absolute necessity before the postal indicium of Claim 1 can be purchased. Without this precondition, it is impossible to complete the rest of the steps of the invention.

The Examiner is requested to point out exactly where Kara discloses

requiring, as a precondition of purchasing at least one postal indicium, receipt of first information indicative of the purchaser's identity,

and

printing said second information upon the at least one postal indicium;

or in the alternative withdraw the rejection.

The Examiner has invited the Applicant to view Kara's Fig. 3 "Post N Mail License Agreement." Applicant respectfully reminds the Examiner that the "user" and "individual" of Kara are not equivalents to the "purchaser" of the present application. That said, Fig. 3 appears to be a Registration Form for the "user" or "individual" who may have purchased the E-STAMP program. However, the undersigned has studied Kara and is unable to find a disclosure that Kara's "customer" who may purchase a postage indicium would also be required to fill out Fig. 3's registration form prior to purchasing at least one postal indicium. In fact, looking at the form itself, it appears that Kara's "customer" would never see the form let alone get a chance to fill it out. Instead, it appears that the form attempts to bind the end user when the "user" or "individual" completes the form based on information indicative of the identities of the "user" or

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"individual". It does not appear to request information indicative of the identity of the future potential "customer."

Applicant respectfully requests the Examiner to point out exactly where Kara discloses that the postal indicia "customer" also fills out the licensing agreement or registration for an E-STAMP program. In the alternative, it is requested that the Examiner withdraw the rejection.

The Examiner also is respectfully requested to point out exactly where the Kara reference makes clear that the "user," the "individual," and the "customer" of Kara; as well as the "purchaser" of the current application are interchangeable terms with respect to purchasing postal indicia, or in the alternative withdraw the rejection.

Reconsideration of Claim 1 is requested.

#### Claims 2-9

Claims 2-9 are dependent on Claim 1. If Claim 1 is allowed, then Claims 2-9 should also be allowed. Reconsideration of Claims 2-9 is requested.

#### **CLAIMS 10-19**

#### Claim 10

For convenience, Claim 10 is quoted below:

10. (previously presented) A method for use with purchased postal indicia, with mail pieces and with a purchaser having an identity, the method comprising the steps of:

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requiring, as a precondition of receiving at least one addressed mail piece with a postal indicium into the mail, that the postal indicium bear second information derived by electronic computation from first information indicative of the identity of the purchaser;

receiving the at least one addressed mail piece with the postal indicium into the mail; and

delivering the at least one addressed mail piece.

The Examiner appears to have rejected Claim 1 and Claim 10 for the same reasons. Even though the claims are different, the arguments provided above for Claim 1 with respect to Claim 1's limitations of

requiring, as a precondition of purchasing at least one postal indicium, receipt of first information indicative of the purchaser's identity,

and

printing said second information upon the at least one postal indicium;

also apply to Claim 10's limitations of:

requiring, as a precondition of receiving at least one addressed mail piece with a postal indicium into the mail, that the postal indicium bear second information derived by electronic computation from first information indicative of the identity of the purchaser.

Reconsideration of Claim 10 is requested.

#### Claims 11-19

Claims 11-19 are dependent on Claim 1. If Claim 10 is allowed, then Claims 11-19 should also be allowed. Reconsideration of Claims 10-19 is requested.

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**CLAIMS 20-29**

Claim 20

The Examiner appears to have rejected Claim 1 and Claim 20 for essentially the same reasons. Although the claims are different, the arguments provided above for Claim 1 with respect to Claim 1's limitations of :

requiring, as a precondition of purchasing at least one postal indicium, receipt of first information indicative of the purchaser's identity,

and

printing said second information upon the at least one postal indicium;

also apply to Claim 20's limitations of:

requiring, as a precondition of delivering at least one addressed mail piece with a postal indicium, that the postal indicium bear second information derived by electronic computation from first information indicative of the identity of the purchaser;

Reconsideration of Claim 20 is requested.

Claims 21-29

Claims 21-29 are dependent on Claim 20. If Claim 20 is allowed, then Claims 21-29 should also be allowed. Reconsideration of Claims 20-29 is requested.

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**CLAIMS 30-32**

Claim 30

For Convenience, Claim 30 is printed below.

30. (Previously presented) A method for use with mail pieces and with a recipient possessing a list of expected senders, and with a sender having an identity, the method comprising the steps of:

receiving a delivered mail piece bearing a postal indicium, the postal indicium bearing second information derived by electronic computation from first information indicative of the identity of the sender;

reading the second information indicative of the identity of the sender; and

determining whether the sender whose identity is indicated by the second information is on the list of expected senders.

The limitations of Claim 30 are not met by the English translation of the Ruat (WO 95/20200) reference ("Ruat") cited by the Examiner.

The undersigned has reviewed the last two paragraphs of page 10 of Ruat and the first paragraph of page 11 of Ruat and is still of the view that those paragraphs do not disclose Claim 30's limitation of :

a recipient possessing a list of expected senders... [and] determining whether the sender whose identity is indicated by the second information is on the list of expected senders.

Ruat appears instead to disclose:

a company which everyday receives several tens or hundreds of mailing envelopes... can also proceed automatically with a first sorting of the mail received, when the name of the person who is the recipient of an envelope appears in the coded non-encrypted information in addition to the name of the company.  
(Last paragraph of page 10 through first paragraph of page 11 of Ruat.)

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Sorting mail by the name of the recipient on an envelope is different than having a list of expected senders and checking to see if the sender of an envelope is on that list.

The Examiner is respectfully requested to point out where exactly in Ruat a mail recipient possesses a list of expected senders and exactly where in Ruat that mail recipient is able to determine, based on information contained in the postal indicia of a particular piece of mail (which bears second information derived by electronic computation from first information indicative of the identity of the sender), that the sender of that particular piece of mail is on its list of expected senders. In the alternative, Applicant respectfully requests that the rejection be withdrawn.

The Examiner states that Ruat discloses: "receiving an addressed mail piece with the at least one postal indicium into the mail." Applicant again respectfully point out that this is not the same as Claim 30's limitation of, "receiving a delivered mail piece bearing a postal indicum." Receiving a piece of mail into the mail (i.e. occurring at the time a letter is placed in the mail or brought to the post office) is not the same as a recipient receiving a delivered piece of mail (i.e. occurring when a letter is delivered to the recipient).

Reconsideration of Claim 30 is requested.

#### Claims 31-32

Claims 31-32 are dependent on Claim 30. If Claim 30 is allowed, then Claims 31-32 should also be allowed.

#### **CLAIMS 33-36**

Claims 33-36 were canceled previously.



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**CLAIMS 37-39**

Claims 37-39

The Examiner appears to have rejected Claim 1 and Claims 37-39 for essentially the same reasons. Although the claims are different, the arguments provided above for Claim 1 with respect to Claim 1's limitations of

requiring, as a precondition of purchasing at least one postal indicium, receipt of first information indicative of the purchaser's identity,  
and

printing said second information upon the at least one postal indicium;

also apply to Claim 37-39 limitations of either a postal indicium or indicia comprising:

cryptographically signed information indicative of an identity of a purchaser of the adhesive postal indicium];

the cryptographically signed information printed by a different process than the first process

or a printer adapted to print the same upon adhesive postal indicia.

The Examiner is requested to point out exactly where the Kara reference makes clear that the "user," the "individual," and the "customer" of Kara; as well as the "purchaser" of the current application are interchangeable terms with respect to purchasing postal indicia, or in the alternative withdraw the rejection of Claims 37-39.

The Examiner is requested to point out exactly where the Kara reference discloses

cryptographically signed information indicative of an identity of a purchaser of the adhesive postal indicium;

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the cryptographically signed information printed by a different process than the first process;

and

a printer adapted to print upon the plurality of adhesive postal indicia cryptographically signed information indicative of an identity of a purchaser of the adhesive postal indicia.

or in the alternative withdraw the applicable rejections.

Reconsideration of Claims 37-39 is requested.

#### **CLAIM 40**

The Examiner appears to have rejected Claim 40 for essentially the same reasons as Claim 1 and Claims 37-39. Although the claims are different, the arguments provided above for Claim 1 and Claims 37-39 are repeated.

Reconsideration for Claim 40 is respectfully requested.

#### **CLAIMS 41-42**

The Examiner appears to have rejected Claim 30 and Claims 41-42 for essentially the same reasons. With respect to Claims 41-42, the arguments provided for Claim 30 are repeated.

Additionally, with respect to Claim 42, Ruat does not disclose Claim 42's limitation of:

the information indicative of the identity of the sender that is borne in the postal indicium is cryptographically signed, and further characterized in that the reading step further comprises checking the cryptographic signature.

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In fact Ruat specifically teaches away from this limitation because the recipient in Ruat does not have the ability to read encrypted information. The recipient in Ruat appears to have the ability to read coded non-encrypted information, but not encrypted information. According to the 7<sup>th</sup> paragraph of page 4 of Ruat, "encrypted information items can only be decrypted by the postal service."


The Examiner is respectfully requested to point out where in Ruat

the information indicative of the identity of the sender that is borne in the postal indicium is cryptographically signed, and further characterized in that the reading step [performed by the recipient] further comprises checking the cryptographic signature,

is located, or in the alternative, withdraw the rejection.

Reconsideration of Claims 41-42 is requested.

Respectfully submitted,

  
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